

Summit

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEORGE G. SCOTT, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

vs.

GENERAL MOTORS COMPANY, EDWARD E.
WHITACRE, JR., CHRISTOPHER P. LIDDELL, NICK
S. CYPRUS, DANIEL F. AKERSON, DAVID
BONDERMAN, ERROLL B. DAVIS, JR., STEPHEN J.
GIRSKY, E. NEVILLE ISDELL, ROBERT D. KREBS,
PHILIP A. LASKAWAY, MORGAN STANLEY & CO.
INCORPORATED, J.P. MORGAN SECURITIES LLC,
MERRILL LYNCH, PIERCE, FENNER, & SMITH
INCORPORATED, CITIGROUP GLOBAL MARKETS
INC., BARCLAYS CAPITAL INC., CREDIT SUISSE
SECURITIES (USA) LLC, DEUTSCHE BANK
SECURITIES INC., GOLDMAN, SACHS & CO., RBC
CAPITAL MARKETS CORPORATION, BANCO
BRADESCO BBI S.A., CIBC WORLD MARKETS
CORP., COMMERZ MARKETS LLC, BNY MELLON
CAPITAL MARKETS, LLC, ICBC INTERNATIONAL
SECURITIES LIMITED, ITAU BBA USA SECURITIES,
INC., LLOYDS TSB BANK PLC, CHINA
INTERNATIONAL CAPITAL CORPORATION HONG
KONG SECURITIES LIMITED, LOOP CAPITAL
MARKETS LLC, THE WILLIAMS CAPITAL GROUP,
L.P., SOLEIL SECURITIES CORPORATION, SCOTIA
CAPITAL (USA) INC., PIPER JAFFRAY & CO., SMBC
NIKKO CAPITAL MARKETS LIMITED, SANFORD C.
BERNSTEIN & CO., LLC, CASTLEOAK SECURITIES,
L.P., C.L. KING & ASSOCIATES, INC., FBR CAPITAL
MARKETS & CO., GARDNER RICH, LLC,
LEBENTHAL & CO., LLC, MURIEL SIEBERT & CO.,
INC., SAMUEL A. RAMIREZ & COMPANY, INC.,
CABRERA CAPITAL MARKETS, LLC, and CF
GLOBAL TRADING LLC,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: JUL 31 2012

12 Civ. 5124 (LTS) (JLC)

ECF CASE

STIPULATION AND
[PROPOSED] ORDER
EXTENDING DEFENDANTS'
TIME TO ANSWER, MOVE,
OR OTHERWISE RESPOND
TO COMPLAINT

WHEREAS, plaintiff George G. Scott ("Plaintiff") in the above-captioned putative class action filed an initial complaint on June 29, 2012 (the "Complaint");

WHEREAS, Plaintiff has not yet effectuated service of the Complaint on certain of the defendants;

WHEREAS, the parties wish to continue the date for any response to the Complaint until after the entry of an order appointing lead plaintiff and approving of lead plaintiff's selection of lead counsel pursuant to the Private Securities Litigation Reform Act, 15 U.S.C. §§ 77z-1(a)(3) & 78u-4(a)(3) (the "PSLRA"); and

WHEREAS, there have been no previous requests for extension in this action.

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel, unless otherwise ordered by the Court, that:

(1) Lead plaintiff shall have sixty (60) days from the entry of the order appointing lead plaintiff and lead counsel pursuant to the PSLRA to file a consolidated amended complaint or designate the Complaint as the operative complaint (the "Operative Complaint");

(2) All defendants who have been served in the action shall move, answer, or otherwise respond to the Operative Complaint within sixty (60) days after the filing or designation of the Operative Complaint;

(3) In the event that a defendant moves to dismiss the Operative Complaint:

(a) Lead plaintiff shall have ^{forty-five (45)} ~~sixty (60)~~ days from the date such motion is served to serve opposition papers; and


(b) That defendant shall have ^{twenty-one (21)} ~~forty-five (45)~~ days from the date opposition papers are served by lead plaintiff to serve reply papers;

(4) Defendants shall have no obligation to move, answer, or otherwise respond to the Complaint unless lead plaintiff designates the Complaint as the Operative Complaint; and

(5) Defendants reserve all of their respective rights and defenses, including without limitation any defenses that a defendant may have as to adequacy of service, subject matter jurisdiction, and personal jurisdiction.

Dated: July 24, 2012

STEWARTS LAW US LLP
DAVID A. STRAITE
RALPH N. SIANNI
MICHELE S. CARINO


David A. Straite

535 Fifth Avenue, 4th Floor
New York, NY 10017
Tel: (212) 897-3730
Fax: (212) 897-3733
dstraite@stewartslaw.com

RYAN & MANISKAS, LLP
KATHARINE M. RYAN
RICHARD A. MANISKAS
995 Old Eagle School Road, Suite 311
Wayne, PA 19087
Tel.: (484) 588-5516
Fax: (484) 450-2582
rmaniskas@rmclasslaw.com

Attorneys for Plaintiff George G. Scott

Dated: July 24, 2012

KIRKLAND & ELLIS, LLP
LAUREN CASAZZA

Lauren Casazza / LW
Lauren Casazza

601 Lexington Avenue
New York, New York 10022
Tel: (212) 446-4800
Fax: (212) 446-4900

*Attorneys for Defendants General Motors
Company, Edward E. Whitacre, Jr.,
Christopher P. Liddell, Nick S. Cyprus,
Daniel F. Akerson, David Bonderman,
Erroll B. Davis, Jr., Stephen J. Girsky, E.
Neville Isdell, Robert D. Krebs, and Philip
A. Laskaway*

Dated: July 24, 2012

FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP
WILLIAM G. MCGUINNESS
ISRAEL DAVID



William G. McGuinness


One New York Plaza
New York, New York 10004-1980
Tel: (212) 859-8000
Fax: (212) 859-4000
william.mcguinness@friedfrank.com
israel.david@friedfrank.com

Attorneys for Defendants Morgan Stanley & Co. LLC, J.P. Morgan Securities LLC, Merrill Lynch, Pierce, Fenner & Smith Incorporated, Citigroup Global Markets Inc., Barclays Capital Inc., Credit Suisse Securities (USA) LLC, Deutsche Bank Securities Inc., Goldman, Sachs & Co., RBC Capital Markets Corporation, Banco Bradesco BBI S.A., CIBC World Markets Corp., Commerz Markets LLC, BNY Mellon Capital Markets, LLC, ICBC International Securities Limited, Itau BBA USA Securities, Inc., Lloyds TSB Bank plc, China International Capital Corporation Hong Kong Securities Limited, Loop Capital Markets LLC, The Williams Capital Group, L.P., Soleil Securities Corporation, Scotia Capital (USA) Inc., Piper Jaffray & Co., SMBC Nikko Capital Markets Limited, Sanford C. Bernstein & Co., LLC, CastleOak Securities, L.P., C.L. King & Associates, Inc., FBR Capital Markets & Co., Gardner Rich, LLC, Lebenthal & Co., LLC, Muriel Siebert & Co., Inc., Samuel A. Ramirez & Company, Inc., Cabrera Capital Markets, LLC, and CF Global Trading, LLC.

* * *

ORDER

IT IS SO ORDERED:

Dated: July 30, 2012 
UNITED STATES DISTRICT JUDGE

✓